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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,549	10/24/2000	Mark Phillip Kenney	LIT-106/PRC-147	2567

32205 7590 01/26/2005

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EXAMINER

CAO, DIEM K

ART UNIT PAPER NUMBER

2126

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/695,549

Applicant(s)

KENNEY, MARK PHILLIP

Examiner

Diem Cao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-14, 22-25 are pending. This action is in response to the amendment filed 8/28/2004. Applicant has amended claims 1-4, 8-14 and added claims 22-25.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-14, 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broulik et al (U.S. 6,323,881 B1) in view of Graham (Introduction to HTML) and Tan (U.S. 6,314,469).

As to claim 1, Broulik teaches (col. 4, line 48 - col. 5, line 34) receiving a first information (a request from browser 40) having at least a first instruction (if the request is a command or navigation) at a server (server30) to execute a target program (telecom application 54) that is unsupported by a server application (server finds ... passes the requests to it), the server application is located on the server (the server 14 ... API; col. 1, lines 42-54), and employing a second instruction (application call) in a supported program (CGI task 44) to cause execution of the target program (the CGI task 44 ... reply data), wherein the second instruction is based on the first instruction (the request has been ... into a CGI request, converts the CGI request into appropriate application call), wherein the supported program is supported by the server application (The HTTP server is supported by common gateway interface tasks; col. 2, line 64 - col. 4, line 7). Broulik also teaches the proxy server can determine the request of

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destination and forward the request to the correct destination (col. 4, lines 32-39), and the CGI task forwards the request to the correct application based on the request (If the request is a command ... reply data; col. 5; lines 25-34). It is noted that co-locating a target program and the server application would have been obvious.

Broulik does not teach the first information having names and location indicators wherein the names identify the server application and the target program, and the location indicators serve to locate the server application and the target program. Nor does Broulik teach the name of the target program is received in a format not understood by a supported program and converting the name into a format understood by the supported program.

Graham teaches the first information having name and location indicator to identify the server application and its location (section 8.1 and section 9.1) and the CGI programs act as gateways between the HTTP server and database or local programs (section 9.3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Broulik and Graham to clearly show the advantage of using CGI program in the distributed application.

Broulik as modified does not teach the name of the target program is received in a format not understood by a supported program and converting the name into a format understood by the supported program.

Tan teaches (iDNS server) receiving the name of a target program (domain request) in a format not understood by a supported program (not in a format that can be used with a conventional DNS server) and converting the name into a format understood by the supported

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program (convert to ASCII encoding). See col. 3, line 61 – col. 4, line 30; col. 9, lines 53-65; col. 11, lines 29-45.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Broulik as modified and Tan so as to allow the client application to communicate in a multilingual fashion (col. 32, lines 41-54).

As to claim 2, Broulik as modified teaches (Tan) parsing (identify encoding format). See col. 3, line 61 – col. 4, line 30; col. 9, lines 53-65; col. 11, lines 29-45.

As to claim 3, Broulik as modified teaches (Tan) converting into ASCII format (convert to ASCII encoding). See col. 3, line 61 – col. 4, line 30; col. 9, lines 53-65; col. 11, lines 29-45.

As to claim 4, Broulik as modified teaches (Tan) identifying a directory location based on (transmit DNS request after conversion). See fig. 1 and col. 3, line 61 – col. 4, line 30; col. 9, lines 53-65; col. 11, lines 29-45.

As to claim 5, Broulik teaches determining an output of the target program, and sending the output to the supported program (If the request is a command ... gets the application reply data; col. 5, lines 25-34).

As to claim 6, Broulik teaches selecting the supported program to comprise a common gateway interface program (the server 30 finds the ... CGI task 44; col. 5, lines 12-16).

As to claim 7, Broulik teaches modifying the first instruction to obtain the second instruction (the CGI task 44 converts the CGI request into appropriate application call; col. 5, lines 25-34).

As to claim 8, it corresponds to the method claim of claim 1 except it is a system claim.

As to claims 9-14, see rejections of claims 2-7 above.

As to claims 22-25, Broulik teaches implementing the internet with Java programming language (col. 9, lines 62-65). Therefore, it would have been obvious to implement a target program of Broulik as modified in Java. When the teaching of Broulik as modified (in particular by Tan) as such, the directory location would have been included that of a Java program as the target program.

4. Applicant's arguments filed 8/28/2004 have been considered but are moot in view of the new ground(s) of rejection. Applicant amended claims have added limitations not previously recited, thus, requiring a new grounds of rejection.

As to the amended and argued feature of converting the format of the name of the target program, it is met by Tan, as detailed in the rejection of claim 1.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K Cao whose telephone number is (571) 272 3760. The examiner can normally be reached on Monday - Thursday, 9:00AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272 3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR.) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to: Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450.

January 13, 2005



SUE LAO
PRIMARY EXAMINER